

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

**This document relates to:**  
**ALL CASES**

MDL No. 2804

Case No. 17-md-2804

Hon. Dan Aaron Polster

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**DECLARATION OF DONNA M. WELCH IN SUPPORT OF  
DEFENDANT ALLERGAN PLC'S RESPONSE TO PLAINTIFFS' REQUEST FOR  
ENTRY OF ORDER "DEEMING SERVICE EFFECTUATED" OR FOR DEFAULT**

I, DONNA M. WELCH, declare as follows:

1. I am a partner with the law firm of Kirkland & Ellis LLP and represent Allergan Finance, LLC f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals Inc., and Allergan plc f/k/a Actavis plc in the above-captioned action. I have personal knowledge of the matters stated herein; and, if called upon, I could and would competently testify thereto. I submit this declaration in support of Defendant Allergan plc's Response to Plaintiffs' Request for Entry of Order "Deeming Service Effectuated" or for Default.

2. On November 19 and November 30, 2018, my colleague Timothy Knapp corresponded with Plaintiffs' counsel regarding acceptance of service on behalf of Allergan plc, a true and correct copy of which is attached hereto as Exhibit 1.

3. On January 3, 2019, my colleague Jennifer Levy corresponded with Plaintiffs' counsel regarding acceptance of service on behalf of Allergan plc, a true and correct copy of which is attached hereto as Exhibit 2.

4. On January 15, 2019, my colleague Catie Ventura corresponded with Plaintiffs' counsel regarding acceptance of service on behalf of Allergan plc, a true and correct copy of which is attached hereto as Exhibit 3.

5. On November 16, 2018, Allergan served its Third Amended Objections and Responses to Plaintiffs' First Set of Interrogatories, a true and correct copy of which is attached hereto as Exhibit 4. These responses were made on behalf of Allergan Finance, LLC and Allergan plc.

6. On October 26, 2018, Plaintiffs deposed Steve Kaufhold, who testified as a corporate representative about Allergan's corporate structure. As part of that deposition, Allergan provided Plaintiffs a "cheat sheet" identifying various information about Allergan's corporate

structure and a custom graphic highlighting Allergan plc's various acquisitions over the years. These documents were marked at Mr. Kaufhold's deposition as Dep. Ex. 3. A true and correct copy of these documents is attached hereto as Exhibit 5. Pursuant to CMO No. 2 and Local Rule 5.2, Allergan seeks to file Exhibit 5 under seal due to its confidential nature.

7. Allergan has produced voluminous documents in this case, including dozens of organizational charts detailing its corporate structure: 2011-01-05 ALLERGAN\_MDL\_03367307; 2011-01-21 ALLERGAN\_MDL\_03367302; 2012-10-12 ALLERGAN\_MDL\_03367301; 2012-11-30 ALLERGAN\_MDL\_02761472; 2012-12-31 ALLERGAN\_MDL\_03367304; 2013-01-24 ALLERGAN\_MDL\_02758853; 2013-06-30 ALLERGAN\_MDL\_02931208; 2013-10-01 ALLERGAN\_MDL\_01098786; 2014-01-31 ALLERGAN\_MDL\_01384578; 2014-06-30 ALLERGAN\_MDL\_03295845; 2014-12-31 ALLERGAN\_MDL\_02177059; 2015-01-01 ALLERGAN\_MDL\_02079795; 2015-09-08 ALLERGAN\_MDL\_01471538; 2015-09-30 ALLERGAN\_MDL\_02147315; 2016-01-01 ALLERGAN\_MDL\_01373731; 2016-03-31 ALLERGAN\_MDL\_02147111; 2016-08-03 ALLERGAN\_MDL\_03295865; 2016-09-30 ALLERGAN\_MDL\_03295869; 2017-06-30 ALLERGAN\_MDL\_00000006; 2017-08-01 ALLERGAN\_MDL\_00000001; 2018-03-31 ALLERGAN\_MDL\_03295860; 08-02-2016 ALLERGAN\_MDL\_03674501. A true and correct copy of these documents is attached hereto as Exhibits 6-27. Pursuant to CMO No. 2 and Local Rule 5.2, Allergan seeks to file Exhibits 6-27 under seal due to their confidential nature.

8. On December 6, 2018, Allergan served its Third Amended Objections and Responses to Plaintiffs' First Set of Requests for Production, a true and correct copy of which is attached hereto as Exhibit 28. These responses were made on behalf of Allergan Finance, LLC and Allergan plc.

9. On December 27, 2018, Allergan served its Verified Responses to Plaintiffs' Additional 30(b)(6) Questions to Julie Snyder, a true and correct copy of which is attached hereto as Exhibit 29. These responses were made on behalf of Allergan Finance, LLC and Allergan plc.

10. On January 15, 2019, Allergan served its Amended Written Responses to Topics 7, 20, 28, and 41 Identified in Plaintiffs' Amended Notice of Deposition Pursuant to Rule 30(b)(6), a true and correct copy of which is attached hereto as Exhibit 30. These responses were made on behalf of Allergan Finance, LLC and Allergan plc.

11. On December 21, 2018, Allergan served its Corrected and Amended Verified Responses to Plaintiffs' Additional 30(b)(6) Questions, a true and correct copy of which is attached hereto as Exhibit 31. These responses were made on behalf of Allergan Finance, LLC and Allergan plc.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 31<sup>st</sup> day of January, 2019, at Chicago, Illinois.



Donna M. Welch, P.C.

CERTIFICATE OF SERVICE

I certify that, on February 1, 2019, I filed a copy of the foregoing electronically. The Court's electronic filing system will send notice of this filing to all parties. Parties may access this filing through the Court's system.

*/s/ Donna M. Welch*

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